

1 HONORABLE RICHARD A. JONES
2
3
4
5
6
7
8
9

10 UNITED STATES DISTRICT COURT
11 WESTERN DISTRICT OF WASHINGTON
12 AT SEATTLE

13 ELIZABETH A. CAMPBELL,

14 Plaintiff,

15 v.

16 FEDERAL HIGHWAY
17 ADMINISTRATION, et al.,

18 Defendants.

CASE NO. C14-454 RAJ

ORDER

19
20 This matter comes before the court on a motion to dismiss for lack of subject
21 matter jurisdiction by defendants Federal Highway Administration and Gregory Nadeau,
22 the Deputy Administrator. Dkt. # 11. On June 13, 2014, defendants City of Seattle,
23 Lynn Peterson, and the Washington State Department of Transportation filed a response
24 in support of the motion, indicating that they agree with the arguments made in the
25 motion. Dkt. # 14. On June 30, 2014, the court construed this response as a joinder in
26 the motion. Dkt. # 16. In that minute order, the court noted that plaintiff had not
27

1 responded or otherwise opposed the motion to dismiss, and that it was unclear whether
2 plaintiff failed to oppose because she did not oppose the action being dismissed, or for
3 some other reason. *Id.* (citing Local Rules W.D. Wash. CR 7(b)(2) (“Except for motions
4 for summary judgment, if a party fails to file papers in opposition to a motion, such
5 failure may be considered by the court as an admission that the motion has merit.”).
6 Since plaintiff is proceeding pro se, the court allowed plaintiff another opportunity to
7 respond, and ordered that plaintiff respond to the motion to dismiss no later than July 25,
8 2014. *Id.* The court warned that if plaintiff did not respond by July 25, 2014, the court
9 would consider her non-opposition as an admission that the motion has merit, and grant
10 defendants’ motion to dismiss on that basis. *Id.*

11 Plaintiff has not responded. Accordingly, the court GRANTS defendants’ motion,
12 and dismisses this action without prejudice.

13 Dated this 28th day of July, 2014.
14
15



16
17 The Honorable Richard A. Jones
18 United States District Judge
19
20
21
22
23
24
25
26
27